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6 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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JONATHAN W. MILES,

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Plaintiff,

No. 08-05473 JSW

11

v.

ORDER TO SHOW CAUSE

12

US GOVERNMENT,

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Defendant.

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15 On December 5, 2008, Plaintiff Jonathan W. Miles filed a Complaint naming the “U.S.
16 Government” as defendant. In his one page Complaint, miles alleges that he has “been a victim
17 of organized crime, racketeering and illegal profiteering for about 38 years.” He seeks \$5
18 million from “people who used government jobs to commit these crimes.”

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Although Mr. Miles is not proceeding *in forma pauperis*, there are several defects with
his Complaint. The first is the lack of a specified defendant, and it appears from the record that
no summons was issued with the Complaint. Plaintiff proceeds at his peril if he fails to have
the complaint and a summons served on a proper defendant within the time period specified in
Federal Rule of Civil Procedure 4(m).

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Second, in contravention of Federal Rule of Civil Procedure 8(a), Plaintiff failed to file a
pleading setting forth the grounds upon which this Court has jurisdiction, and “a short and plain
statement of the claim showing that the pleader is entitled to relief.” The legal theories on
which Plaintiff seeks relief and the underlying factual basis for the suit are unclear to the Court.

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1 Accordingly, Plaintiff is HEREBY ORDERED TO SHOW CAUSE why his case should
2 not be dismissed for failing to name a proper defendant and for failing to obtain a summons. If
3 he chooses, Plaintiff may respond to this Order to Show Cause by filing an amended complaint
4 which names a proper defendant (or defendants if appropriate) and sets forth the legal theories
5 on which he premises his claims. Plaintiff is also responsible for obtaining a summons and
6 serving any amended complaint he files on the proper defendant in accordance with Federal
7 Rule of Civil Procedure 4. **Plaintiff's response to this Order to Show Cause shall be due by**
8 **January 30, 2009.**

9 The Court advises Plaintiff that a Handbook for Pro Se Litigants, which contains helpful
10 information about proceeding without an attorney, is available through the Court's website or in
11 the Clerk's office.

12 **IT IS SO ORDERED.**

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14 Dated: December 23, 2008

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17 JEFFREY S. WHITE
18 UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN W. MILES,

Plaintiff,

V.

US GOVERNMENT et al.

Defendant.

Case Number: CV08-05473 JSW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 23, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jonathan W. Miles
515 Third St.
P.O. Box 12546
Seattle, WA 98104

Dated: December 23, 2008

Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk